

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RODNEY C. MOORE,

Petitioner,

ORDER

v.

12-cv-613-wmc

WARDEN WILLIAM POLLARD,

Respondent.

State inmate Rodney A. Moore filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his conviction in Dane County Case No. 2005CF1306. On October 3, 2012, the clerk's office closed this case after Moore failed to comply with a court order directing him to either pay the \$5.00 filing fee or submit "a trust fund account statement for the last six months" in compliance with the federal *in forma pauperis* statute. 28 U.S.C. § 1915(a)(2). Six months later, Moore filed a motion to reopen this closed case and he requested leave to proceed *in forma pauperis*. On May 24, 2013, Magistrate Judge Peter Oppeneer denied both requests, subject to reconsideration if Moore paid the \$5.00 filing fee within ten days. The magistrate judge further admonished Moore that his case would be formally dismissed if he did not comply as directed.

To date, Moore has failed to comply with court orders instructing him to pay the filing fee. Accordingly, under the inherent power necessarily vested in a court to manage its docket, the complaint will be dismissed. *See* FED. R. CIV. P. 41(b); *Slack v.*

McDaniel, 529 U.S. 473, 489 (2000) (stating that “[t]he failure to comply with an order of the court is grounds for dismissal with prejudice”).

ORDER

IT IS ORDERED that the petition filed by Rodney C. Moore is DISMISSED for want of prosecution and for failure to comply with court orders.

Entered this 7th day of June, 2013.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge